

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Council Members

FROM: Scott D. Pickup, City Manager

SUBJECT: Enclosures - Council Packet

DATE: January 17, 2014

Enclosed with this memorandum are the following items:

- 1-10 Notice regarding a Rye Town Park Commission meeting to be held on Tuesday, January 21, 2014 beginning at 6:00 p.m. at Rye Town Hall.
- 1-11 Legal Department Update from the Corporation Counsel dated January 17, 2014.
- 1-12 Press Release from the City of Rye Police Department announcing the implementation of a new Emergency Notification System "CODE RED" to replace "REVERSE 911".
- 1-13 Press Release from the City of Rye Police Department announcing a new telephone reassurance system "MY DAILY CALL" to replace "GUARDIAN CALLING".
- 1-14 Notice from Westchester County regarding *Financial Education Day* to be held at Westchester Community College on Saturday, March 22, 2014 from 9:00 a.m. to 1:30 p.m.
- 1-15 Meeting notice for the week of January 21, 2014 is available on the City website www.ryeny.gov under Calendar.



*Rye Town Park
95 Dearborn Ave.
Rye, NY 10580
914 967-0965*

RYE TOWN PARK COMMISSION **MEETING NOTICE**

Commission Members

Joseph Carvin-President
Joseph Sack, Mayor-City of Rye
Neil Pagano, Mayor-Village of Port Chester
Paul Rosenberg, Mayor-Village of Rye Brook
Benedict Salanitro, Commissioner
Laura Brett, Commissioner

DATE & TIME: **Tuesday, 1/21/2014 @ 6:00PM**

PLACE: **Rye Town Hall
10 Pearl Street, 3rd Floor
Port Chester, NY 10573**

Tentative Agenda:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Appointments to the Rye Town Park Commission**
- 4. Approval of Minutes: 11/19/2013, 12/17/2013**
- 5. Comments from the Public**
- 6. Capital Committee Update – Frank Fish**
- 7. Northeast Divers - Presentation**
- 8. Financial & Operations Reports**
- 9. Correspondence**
- 10. Old Business**
 - Trash Dumpsters vs Trash Compactor**
 - Lease extension request for restaurant**
 - Pending Rye City Appeal of CERT case**
 - Capital Fund allocation process**
- 11. New Business**

**CITY OF RYE
MEMORANDUM**

TO: Honorable Mayor and Rye City Council
FROM: Kristen K. Wilson, Corporation Counsel
SUBJECT: Litigation Update
DATE: January 17, 2013

TAX CERTIORARI
CARROLL v. CITY OF RYE

This matter is fully submitted before the Second Department.

**THE TOWN OF RYE AND THE RYE TOWN PARK COMMISSION v. THE ASSESSOR and
Board of Assessment Review of the CITY OF RYE**

A Notice of Appeal has been filed in connection with this matter.

WESTCHESTER JOINT WATER WORKS v. CITY OF RYE

The City of Rye has filed its brief with the Appellate Division, Second Department.

LITIGATION
BEAVER SWAMP BROOK – (DEC Administrative proceeding)

A site walk with Administrative Law Judge Wissler (serving as mediator), DEC permit and wetland staff, DEC counsel, and intervening parties took part in a site walk on January 9, 2014. After the site walk, a confidential mediation session took place at Harrison Town Hall. Another mediation session is tentatively scheduled for mid February.

BASSETT v. CITY OF RYE

The Appellate Division, Second Department issued a decision reversing the lower court decision of Judge Berliner that set aside the jury verdict and remitted the matter back to him to consider whether a new trial should be granted.

CASPI v. CITY OF RYE

Motions for summary judgment were denied without prejudice and will be refiled at the completion of briefing as part of the bundling rule. As a result, once the motion is fully briefed, all papers will be submitted to the Court for review at one time.

DELLI PAOLI V. ZONING BOARD OF APPEALS

The Board of Appeals reaffirmed the Board of Architectural Review's decision to deny the application at their May meeting.

PANETTA v. PLANNING COMMISSION (declaratory judgment/42 U.S.C. 1983 claim)

A trial date has been calendared for February 4, 2014.

BUTLER v. PLANNING COMMISSION

Oral arguments were held in the Appellate Division, Second Department. The bench was very interested in the timing of the decisions from lower court Justices Lorenzo and Lefkowitz. It appeared that all four judges understood the City's arguments. Judge Cohen, who has a municipal background, took the lead.

BOARD OF MANAGERS OF THE IVES AT RYE v. CITY OF RYE

The City has served its Answer with Affirmative Defenses.

OMNI CONTRACTING V. CITY OF RYE

Omni's counsel filed an Order to Show Cause asking to be relieved as counsel due to nonpayment of legal bills totaling close to \$50,000. Currently, the trial is still calendared for March 3, 2014.

AMERICAN LEISURE ACTIVITIES OF NEW YORK CITY INC. v. CITY OF RYE

In August I reported to you that a notice of claim had been served on the City claiming breach of contract on the part of the City. A summons and complaint was served by plaintiff seeking judgment in the amount of \$42,239.96.

CITY COURT

People v. Chittenden

The trial in People v. Chittenden concluded in front of Judge Hansbury. Post-trial briefs are due on or before January 24, 2014.

Respectfully submitted,



Kristen K. Wilson
Corporation Counsel

KKW/dfn



William R. Connors
Police Commissioner

POLICE DEPARTMENT

City of Rye, New York

21 McCullough Place

Rye, N. Y. 10580

Phone: (914) 967-1234

FAX: (914) 967-8341



PRESS RELEASE

January 15, 2014

FOR IMMEDIATE RELEASE

CITY OF RYE POLICE DEPARTMENT ANNOUNCES NEW EMERGENCY NOTIFICATION SYSTEM: "CODE RED" TO REPLACE "REVERSE 911"

The City of Rye Police Department has contracted with Emergency Communications Network, LLC to license its CodeRED high-speed notification solution. The CodeRED system provides the Department with the ability to quickly deliver messages to targeted areas or the entire city.

William Connors, Police Commissioner of the City of Rye, cautioned that such systems are only as good as the telephone number database supporting them. "If your phone number is not in the database, you will not be called." One of the reasons the CodeRED system was selected is it gives individuals and businesses the ability to add their own phone numbers directly into the system's database, which is an extremely important feature.

Listed telephone numbers are included in the CodeRED database. However, "No one should automatically assume his or her phone number is included," Connors said, urging all individuals and businesses to log onto the City of Rye website, www.ryeny.gov, and follow the link to the "CodeRED Community Notification Enrollment" page. Those without Internet access may call the City of Rye Police Records Division, (914) 967-1234, ext. 304, Monday through Friday, 10:00 A.M. to 3:00 P.M., to supply their information over the phone. The registration process is quick and simple. Required information includes first and last name, street address (physical address, no P.O. boxes), city, state, zip code, and primary phone number, as well as email address if available. Additional phone numbers can be entered as well.

The City has used the Nixle system to deliver email and text notifications, and will continue to do so for the immediate future. All residents and business owners currently registered for Nixle messages should register for CodeRED in anticipation of a transition to the new system.

All businesses should register, as well as all individuals who have unlisted phone numbers, who have changed their phone number or address within the past year, and those who use a cellular phone or VoIP phone as their primary number. "CodeRED allows geographically based delivery, which means street addresses are required to ensure emergency notification calls are received by

the proper individuals in a given situation. The system works for cell phones too, but we need to have an associated street address to provide relevant messages," Connors explained.

The City of Rye was the first community in the area to adopt the Reverse911 System for telephone notifications in 2003, and added Nixle in 2010. CodeRED consolidates both services into one platform, and provides quicker notification capacity and other enhanced features in a more cost-effective manner. It became operational on January 1, 2014, and the Department will transition to the system as its primary source of telephone, email, and text message emergency notification during the coming weeks as staff training is completed and residents have the opportunity to register for the system.

CodeRED gives those who want to be included an easy and secure method for inputting information. The data collected will only be used for emergency notification purposes.

About Emergency Communications Network

Headquartered in Ormond Beach, Fla., Emergency Communications Network, LLC (ECN) has pioneered high-speed emergency notification services capable of reaching millions of citizens in minutes. ECN's sophisticated network supports a web-based product suite featuring four major services: CodeRED[®] which enables local government officials to communicate time-sensitive, personalized messages via voice, email and text messaging; CodeRED Weather Warning[™] which provides automated alerts to citizens in the path of severe weather just moments after a warning has been issued by the National Weather Service; My Daily Call[™] for scheduling calls to check on at-risk individuals, including the elderly, infirm and latchkey kids; and CodeED[®] for use by school systems to improve communications with their communities. To learn more, visit www.ecnetwork.com.



William R. Connors
Police Commissioner

POLICE DEPARTMENT

City of Rye, New York
21 McCullough Place
Rye, N. Y. 10580
Phone: (914) 967-1234
FAX: (914) 967-8341



PRESS RELEASE

January 15, 2014

FOR IMMEDIATE RELEASE

CITY OF RYE POLICE DEPARTMENT ANNOUNCES NEW TELEPHONE REASSURANCE SYSTEM: “MY DAILY CALL” TO REPLACE “GUARDIAN CALLING”

The City of Rye Police Department has recently implemented MyDailyCall, a telephone reassurance program provided by Ormond Beach, FL-based Emergency Communications Network (ECN). ECN is the same company that currently provides CodeRED emergency notification services to the City/County. MyDailyCall is an added benefit, helping ensure that the most vulnerable within the City/County are safe.

MyDailyCall provides daily telephone calls, up to twice daily, and is designed to provide a friendly contact to the elderly, those who live alone or to anyone who may benefit from a reassurance call. The service is provided to those interested at no cost. To enroll, please contact the police department to select the frequency and the days on which the system will contact you, as well as an emergency contact who will provide immediate follow up if the system does not receive a response from the participant during the call.

“This automated system allows us to ensure the safety and welfare of some of our most vulnerable residents. We know the system is a benefit to both those participating and their families as it provides much needed daily contact to make them feel more secure and safe,” said Police Commissioner William Connors. “The Department has had similar systems in place since the 1990’s – first, the RUOK program, followed by Guardian Calling. MyDailyCall is the most recent development, and coincides with our implementation of the CodeRED telephone notification system. We encourage residents who are in need – particularly the elderly or homebound – to register for the service.”

For more information about the new MyDailyCall telephone reassurance program available in the City of Rye, please contact the Staff Services/Records Division at (914) 967-1234, ext. 304, or by email at ngroglio@ryepd.ny.gov .

Financial Education Day at Westchester Community College



**SATURDAY,
March 22, 2014
9:00 a.m. to 1:30 p.m.**

The Gateway Center
Westchester Community College
75 Grasslands Road
Valhalla, New York 10595
Parking Lot 1 or 11

REGISTRATION

is **FREE** and available online and onsite.
Space is limited, so register early!

ONLINE: www.mysunywcc.org
Go to Calendar/Financial Education Day

BY PHONE: 914-606-6559

KEYNOTE SPEAKER



Sharon Epperson
CNBC Senior Commodities and
Personal Finance Correspondent

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- Seniors in Retirement or Approaching Retirement
- Financial Planning for Women

Two seminars will be offered in Spanish:

- Planning & Budgeting
- Debt Solutions

FREE PRIVATE CONSULTATIONS

Financial professionals, credit counselors, and members of the Financial Planning Association will be available for one-on-one consultations on specific financial questions you may have.

SCHEDULE

8:30 - 9:00 a.m.	Registration/Continental Breakfast
9:00 - 10:00 a.m.	Keynote Speaker & Welcome
10:00 a.m. - 1:30 p.m.	Workshops
10:00 a.m. - 2:30 p.m.	One-on-one Consultations